UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Nathan Smith,	§	
Plaintiffs,	§	
	§	
v.	§	Civil Action No.: H-07-784
	§	
	§	
The Abandoned Vessel,	§	
	§	
Defendants.	§	

ORDER

Pending before the Court is Intervenor Defendant's Motion for New Trial, Plea to the Jurisdiction, Motion to Transfer Venue and Objection to Plaintiff's Motion for Declaratory Judgment (Inst. #12). Having considered the motion, submissions and the applicable law, the Court determines that the motion should be granted and denied in part. Accordingly, the Court hereby

Orders that the Entry of Judgment and Declaratory Judgment entered on September 7, 2007 is hereby VACATED. Further, the case is reopened and set for a Rule 16 Scheduling Conference on October 25, 2007 at 2:00 p.m. before Magistrate Judge Stephen Wm. Smith, Courtroom 702, 515 Rusk, Houston, TX. All other relief not expressly granted herein in denied.

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Signed at Houston, TX on the ___14___ day of September, 2007.

DAVID HITTNER
United States District Judge